

REMARKS

A marked-up version of the claims is enclosed. Claims 1-19 are pending and are all rejected, and new claims 20-22 are also now pending. The independent claims are claims 2, 10-15, and 19.

Independent claims 2, 10-15, and 19 were rejected by the final Official Action as anticipated under 35 U.S.C. § 102(e) by *Teresawa* (U.S. Patent No. 6,147,714). Although independent claim 19 was rejected as anticipated by *Teresawa*, independent claim 19 was not rejected as obvious or anticipated in view of *Chaney* (U.S. Patent No. 5,867,207).

An amendment after final was entered, in order to incorporate the distinguishing feature of claim 19 into claims 2 and 10-15. Thus, it is respectfully believed that *Chaney* is no longer being cited against any of the present independent claims, and that the only reference now being cited against the independent claims is *Teresawa*.

The Present Claim Amendments

Independent claims 2, 10-15, and 19 are now amended, without prejudice, in order to more clearly distinguish these independent claims from *Teresawa*. This amendment of the independent claims is supported at least by page 12 of the application, line 32 thru page 13, line 8 stating that the present invention operates on the individuality principle of the worldwide web. Thus, the independent claims now clearly indicate uniformity throughout the world, as discussed at page 2 of the Advisory Action. This new "worldwide" feature of the independent claims was previously discussed with the examiner by telephone on August 23, 2002.

The new claims 20-22 are supported at least by page 12 of the application as originally filed, especially lines 32-37.

The Advisory Action stated at page 2 that "'globally' is not necessarily limited to being with respect to consistency or uniformity across . . . various countries, in a geographic sense." Although applicant respectfully believes that the dictionary definition of "globally" does

indicate a geographic sense, nevertheless the present insertion of the word “worldwide” into the independent claims removes any possible ambiguity. Inserting the “worldwide” language into the claims also addresses the US-focussed statements on page 2 of the Advisory Action (e.g. “services do not change depending on the region of the country”), and on page 3 of the Advisory Action (e.g. “East Coast as opposed to West Coast”).

The Final Official Action is Problematic

On page nine of the final Official Action, the following statement indicates a serious problem:

“[E]xaminer asserts that the names used in *Teresawa* are valid for all the customers that receive the data, since *Teresawa* does not discuss a tiered system wherein the names of services are changed across the network.”

Applicant respectfully contends that the omission of a tiered feature in *Teresawa* cannot reasonably demonstrate the inclusion in *Teresawa* of any feature comparable to the present claimed invention. For an anticipation rejection to be valid under 35 U.S.C. § 102(e), the “identical invention must be shown in as complete detail as is contained in the . . . claim.” *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). It is true that the final Official Action included the following statement:

“As for the amended claimed feature of the textual globally individual name of services, this feature reads on the actual name of the service that is displayed on the subscriber’s screen and is thus selected by the user, (Fig. 4; Fig. 8; col. 7, lines 59-62).”

However, column 7, lines 59-62 of *Teresawa* **does not discuss** anything about the names used in *Teresawa* being valid for all the customers that receive the data. The final Official Action acknowledges this deficiency of *Teresawa* at page 9 of the final Official Action (first paragraph).

Even if the final Official Action were citing *Teresawa* to support an obviousness rejection instead of an anticipation rejection, the final Official Action contended that omission of an element in the prior art supports the rejection, whereas omission of an element in the claimed invention would be the proper way to support an obviousness rejection. See MPEP § 2144.04(II)(A).

Teresawa Does Not Anticipate or Suggest the Present Claimed Invention

There are additional reasons why *Teresawa* is not an adequate reference. The final Official Action asserts (see page 3, penultimate paragraph) that *Teresawa* teaches “textual globally individual name of services.” The Official Action points to figures 4 and 8 of *Teresawa*, and to column 7, lines 59-62. Again, on page 9 of the final Official Action, first paragraph, it is asserted that *Teresawa* globally guarantees service descriptor names because the names of programs listed in the electronic program guide EPG of *Teresawa* are globally individual.

However, *Teresawa*’s summary (column 1, lines 39-59) discusses the two basic aspects of the invention, both of which require still pictures (column 1, lines 47 and 56). As shown in Figure 4 of *Teresawa*, the user will select a picture, not a textual name. *Teresawa* says that “still-picture data (data stream) is *essential* for selecting the program” (column 7, lines 48-50, emphasis added). Although *Teresawa* does mention a program table that is unable to process still pictures (column 6, line 46), *Teresawa* is clear that the program table is displayed with still pictures (column 15, lines 38-43).

Further Comments About the Advisory Action

Applicant would like to now emphasize the very useful example found in FIG 8 of *Teresawa*, where the service_names are displayed in the leftmost column. Those are names like “CNN” and “MTV.” Those are good examples of names that are not globally individual worldwide. For example, if one visits the internet address www.cnn.com/CNNI/ then one

sees program guides for USA, Europe, and Asia which are not identical for different regions although defined by the same name "CNNI." Thus, they identify different services; they may have some programs that are the same, but the entire daily program guide is almost completely different. Some regions have programs that others do not have.

At the end of the full paragraph on page 3 of the Advisory Action, it is stated that all CNN subscribers would receive programming from the same service provider. But, that does not mean that the service would be the same, according to the usage of the word "service" in the present application. For example, present claim 19 is explicit that "based upon the non-numerically descriptive globally individual identifying name information and the relation, the service identification is retrievable" and "based upon the service identification data, the data transmission stream and a location therein is retrievable for use." It is essential, in the context of the present claimed invention, that the correct transmission stream can be discovered based on the name information, which further identifies the correct service in the stream.

A news service called "CNN" is available in most places in the world, but not all of these news services are the same; there are regional variants of "CNN" and "MTV." The U.S., Europe, Asia, et cetera, each have their own local versions of these services, and these different versions do not have the same content and programming. These different versions are called "CNN" and "MTV" in their respective markets because these names are global brands (thus, each has the service_name field set to just "CNN" and "MTV"). Normally, a single receiver is able to receive only one "CNN" and "MTV" service, which is the one for the region where the receiver is located. So, in each regional network, there is one service called "CNN" and this name is naturally provided to all receivers within that network.

However, this name cannot be used as a globally individual identifying name, because in different regions it is associated with a different service and thus is not globally individual worldwide. A globally individual identifying name, according to the present specification, would be a name that globally individually identifies the particular service. It should be noted that this globally individual identifying name would not normally be displayed to the end user

in an EPG; although, possibly, the user could enter it in a way similar to entry of URLs in a web browser. The names shown in EPGs are the usual brands of the services that people know them by, and these do not need to be globally individual.

In addition to names like “CNN” and “MTV” discussed above, *Teresawa* also references DVB service information, and explains the service_id field. In the DVB Service Information standard (ETSI EN 300 468), it is defined that this service_id is a 16-bit number, so it completely lacks any non-numerically descriptive globally individual identifying name which is at the crux of the present claimed invention. Likewise, *Teresawa* references the original_network_id and transport_stream_id, which are all part of the service identification data. This service identification data is numeric, is fully described in the DVB Service Information standard (ETSI EN 300 468), and is not comparable to anything in the present claimed invention. The present claimed invention is the non-numerically descriptive (textual) globally individual identifying name.

An essential aspect of the present patent application is that the name is individually assigned to services and/or service components. This name is non-numerically descriptive and is easy for humans to understand and remember, and is also globally individual so that it uniquely identifies the service. Numeric identifiers of a service are, of course, known technology, and a novel feature of the present claimed invention is that the individual name is mapped to the numeric identifiers. The importance of the name information being “individual” is discussed in the application (e.g., page 7, line 23; page 12, line 32). Likewise, the “globally identifiable” feature of the name information is discussed at least by page 12 of the application, line 33. And, the importance of the name information being “non-numerically descriptive” (or textual) is discussed at least by page 6 of the application, lines 20-22 and page 11 of the application, lines 26-33, as well as by way of examples.

Again regarding *Teresawa*, it is evident from *Teresawa*’s abstract that the idea is to simply be able to move a cursor on a screen in order to make a selection. Regarding Digital Video Broadcasting Service Information (DVB SI), *Teresawa* describes only a known

mechanism; DVB SI already contains a service provider name and service name in the service descriptor, and these names are not guaranteed to be globally individual in any way. For example, in Finland, one service might have "YLE" as the service provider and "TV1" as the service name. There is no guarantee that in some other country there may well be a different service with name "TV1" and the service provider might be called "YLE" by coincidence, and in fact such transnational variations are well known. Therefore, this existing name is only for information purposes to the end user but cannot be used as a globally individual identifier. The present invention is to use an identifying name such as "tv1.yle.fi" that is guaranteed to be globally individual to that service, being descriptive in at least a non-numerical way. *Teresawa* does not suggest why such a program number would be used in the manner of the present claimed invention.

CONCLUSION

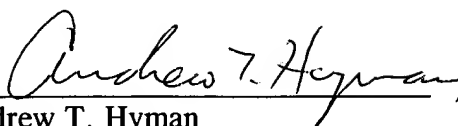
Applicants respectfully submit that the amended claims of the present application define patentable subject matter and are patentably distinguishable over the cited references for the reasons explained. The rejections of the final Official Action of May 21, 2002 having been shown to be inapplicable, retraction thereof is requested, and early passage of claims 2-22 to issue is earnestly solicited.

Applicant would appreciate if the Examiner would please contact Applicant's attorney by telephone, if that might help to speedily dispose of any unresolved issues pertaining to the present application.

Respectfully submitted,

Dated: October 15, 2002

WARE, FRESSOLA, VAN DER
SLUYS & ADOLPHSON LLP
Building Five, Bradford Green
755 Main Street, P.O. Box 224
Monroe, CT 06468
Telephone: (203) 261-1234
Facsimile: (203) 261-5676
USPTO Customer No. 004955


Andrew T. Hyman
Attorney for Applicant
Registration No. 45,858

MARKED-UP VERSION SHOWING CHANGES MADE

Please Amend the Claims as Follows:

2. (Four Times Amended) Method of addressing at least one service among plural services, or for addressing at least one service component, in a data communication system having at least one data transmission network that is for transmitting information in at least one MPEG data transmission stream, at least one of the plural services including said at least one service component, the method comprising the steps of:

transmitting the at least one service from at least one of several service providers to the at least one data transmission network,

assigning identification data to each of the at least one service, which identifies at least an originating transmission network of the data communication system, a transmission stream within the at least one data transmission network, and the at least one service within the transmission stream, and

assigning identification data to the at least one service component for identifying the at least one service component as well as identifying a service for transmitting the at least one service component,

wherein the identification data assigned to the at least one service component is for serving as a basis to retrieve the data transmission stream, which is for transmitting the at least one service and the at least one service component, and to retrieve a location in the data transmission stream,

wherein the at least one service or the at least one service component are assigned non-numerically descriptive worldwide globally individual identifying name information and a relation between the non-numerically descriptive worldwide globally individual identifying name information and the identification data, and

wherein, based upon the non-numerically descriptive worldwide globally individual identifying name information and the relation, at least one of the identification data of the at least one service or the at least one service component is retrievable.

10. (Four Times Amended) Data communication system comprising at least one data transmission network for transmitting information on services in at least one data transmission stream, the system comprising:

equipment for transmitting at least one service of one or several service providers to the at least one data transmission network, the at least one service being assigned identification data which identifies at least an originating transmission network of the data communication system, a transmission stream within the at least one data transmission network, and the at least one service which is within the transmission stream,

means for assigning to the at least one service a non-numerically descriptive worldwide globally individual identifying name information, and

means for forming a relation between the non-numerically descriptive worldwide globally individual name information and the identification data,

wherein, based upon the non-numerically descriptive worldwide globally individual name information and the relation, the service identification is retrievable.

11. (Four Times Amended) Data communication system including at least one data transmission network for transmitting information on services in at least one data transmission stream, the services including at least one service component and means for transmitting the services of one or several service providers to one or several data transmission,

wherein the services are assigned identification data which identifies at least an originating transmission network, a transmission stream within the at least one data transmission network, and each of the services which is within the transmission stream, and

wherein the at least one service component is assigned an identification data for identifying the at least one service component as well as identifying a service for transmitting the service component, and

wherein the identification data is for retrieval of the data transmission stream which is useful for transmitting the services and for transmitting the at least one service component, and retrieval of a location in the data transmission stream, the system comprising:

means for assigning, to at least one of the services and the at least one service component, non-numerically descriptive worldwide globally individual identifying name information, and

means for forming a relation between the non-numerically descriptive worldwide globally individual identifying name information and the identification data,

wherein, based upon the non-numerically descriptive worldwide globally individual identifying name information and the relation, at least one of the identification data of the service and the service component are retrievable.

12. (Four Times Amended) Broadcasting device for transmitting at least one service in a data communication system wherein the data communication system includes at least one data transmission network for transmission of information in at least one data transmission stream, and wherein the at least one service is assigned identification data which identifies at least an originating transmission network, a transmission stream within the at least one data transmission network, and the at least one service which is within the transmission stream, comprising:

means for transmitting non-numerically descriptive worldwide globally individual identifying name information for identifying the at least one service, and a relation between the non-numerically descriptive worldwide globally individual identifying name information and the identification data, to the data transmission network; and

means for transmitting the at least one service.

13. (Four Times Amended) Broadcasting device for transmitting at least one of a service and service component, in a data communication system which includes at least one data transmission network for transmission of information in at least one data transmission stream,

wherein the service, which is transmissible by the data communication system, is assigned identification data that identifies at least an originating transmission network, a transmission stream within the at least one data transmission network, and the service which is within the transmission stream for identifying the service, and

wherein the service component, which is transmissible by the data communication system, is assigned identification data for identifying the service component as well as a service for transmitting the service component, the broadcasting device comprising:

means for transmitting a non-numerically descriptive worldwide globally individual identifying name information which identifies the service, and also identifies a relation between the non-numerically descriptive worldwide globally individual identifying name information and the identification data, to the data transmission network; and

means for transmitting the at least one of a service and service component.

14. (Four Times Amended) Receiver for receiving at least one service in a data communication system, the data communication system including at least one data transmission network for transmission of information in at least one data transmission stream, in which data communication system the service is assigned identification data that identifies at least an originating transmission network, a transmission stream within the at least one data transmission network, and the service which is within the transmission stream, the receiver comprising:

means for receiving non-numerically descriptive worldwide globally individual identifying name information that identifies the service as well as a relation between the name information and the identification data, and

means for determining the service identification data based upon the relation between the non-numerically descriptive worldwide globally individual identifying name information and the identification data.

15. (Four Times Amended) Receiver for receiving at least one of a service and a service component in a data communication system which includes at least one data transmission network for transmission of information in at least one data transmission stream, in which data communication system:

wherein the service transmissible by the data communication system has been assigned identification data which identifies at least an originating transmission network, a transmission

stream within the at least one data transmission network, and the service which is within the transmission stream for identifying the service,

wherein the service component transmissible by the data communication system has been assigned identification data for identifying the service component and a service for transmission of the service component, the receiver comprising:

means for receiving non-numerically descriptive worldwide globally individual identifying name information identifying at least one of the service and the service component as well as a relation between the name information and the identification data, and

means for determining the service identification data based upon the relation between the name information and identification data.

19. (Amended) Method of addressing at least one service in a data communication system that includes at least one data transmission network for transmitting information in at least one MPEG data transmission stream, the method comprising the steps of:

transmitting a service from at least one service provider to the at least one data transmission network, and

assigning service identification data to the service, which identifies at least an originating transmission network of the data communication system, a transmission stream within the at least one data transmission network, and the service within the transmission stream,

wherein, based upon the service identification data, the data transmission stream and a location therein is retrievable for use,

wherein the service is assigned non-numerically descriptive worldwide globally individual identifying name information and a relation between the non-numerically descriptive worldwide globally individual identifying name information and the service identification data, and

wherein, based upon the non-numerically descriptive worldwide globally individual identifying name information and the relation, the service identification is retrievable.

20. (New) The method of claim 19,

wherein the non-numerically descriptive worldwide globally individual identifying name information is conducted by a hierarchy of mutually coordinating organizations for keeping a distributed register for ensuring global individuality of the name information worldwide.

21. (New) The method of claim 19,

wherein the service is transmitted via at least one data transmission network for transmitting information in at least one MPEG data transmission stream.

22. (New) The method of claim 20,

wherein the service is transmitted via at least one data transmission network for transmitting information in at least one MPEG data transmission stream.